IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.2752 OF 2005

Mirajkumar @ Sujit Minanath Deokule ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr.Dilip Bodake for Applicant.

Mr.K.V.Saste, A.P.P. for Respondent.

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CORAM: A.M.KHANWILKAR, J.

APRIL 29, 2005.

P.C.

1. Heard Counsel for the parties. Perused the record.

2. The role of the Applicant as per the prosecution case is that he was waiting near the scene of offence and after the incident was over, he drove the car, in which, co-accused also travelled.

3. In other words, it is not the prosecution's case that the Applicant actually participated in snatching away the bag containing cash of Rupees Two Lakhs, whereas, persons who are allegedly responsible for doing that act, have already been granted bail by the lower Court. This position is not in dispute.

4. If it is so, the Applicant also deserves to be enlarged on bail, on parity along with co-accused who are released on bail by the lower Court. Moreover, there are no antecedents against the Applicant. Hence, this Application is allowed on the following conditions:

(a) The Applicant is directed to be enlarged on bail in connection with C.R.No.193 of 2004 registered with Phaltan Police Station, on executing personal bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand), with one or two local sureties in the like amount.

(b) The Applicant shall not influence the prosecution witnesses nor shall tamper with the

prosecution evidence in any manner whatsoever.

(c) The Applicant shall inform his place of residence to the Investigating Officer as well as the Trial Court. Besides, he shall report to the nearest Police Station, once in a month on 1st Sunday of every English Calender month between 10.00 a.m. to 1.00 p.m. during the pendency of the trial.

(d) Besides, the Applicant shall not leave the city of Pune, without prior intimation to the Investigating Officer as well as the Trial Court, except for attending Court cases on the specified dates.

(e) The Applicant shall co-operate for the early disposal of the trial. If the Trial Court is of the opinion that the Applicant is, in any manner, responsible for causing delay in disposal of the trial, that fact be recorded in the Roznama, which can be a ground for cancellation of bail.

5. Application disposed of accordingly.

A.M.KHANWILKAR, J.